

<b>Notice of Allowability</b>	Application No.	Applicant(s)	
	10/687,448	LUNDY, MICHAEL T.	
	Examiner Kiet Doan	Art Unit 2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1.  This communication is responsive to 02/28/2006.
2.  The allowed claim(s) is/are 1.4-6,8,9,11-15,17-20,23-25,27,29-33 and 35.
3.  Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a)  All
  - b)  Some\*
  - c)  None
  1.  Certified copies of the priority documents have been received.
  2.  Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3.  Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.  
**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4.  A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5.  CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a)  including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1)  hereto or 2)  to Paper No./Mail Date \_\_\_\_\_.
  - (b)  including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6.  DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

#### Attachment(s)

1.  Notice of References Cited (PTO-892)
2.  Notice of Draftsperson's Patent Drawing Review (PTO-948)
3.  Information Disclosure Statements (PTO-1449 or PTO/SB/08),  
Paper No./Mail Date \_\_\_\_\_
4.  Examiner's Comment Regarding Requirement for Deposit  
of Biological Material
5.  Notice of Informal Patent Application (PTO-152)
6.  Interview Summary (PTO-413),  
Paper No./Mail Date \_\_\_\_\_.
7.  Examiner's Amendment/Comment
8.  Examiner's Statement of Reasons for Allowance
9.  Other \_\_\_\_\_.

  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER

## DETAILED ACTION

This office action is response to Remarks file on 02/28/2006.

**Claims 3, 10, 22 and 28** are cancelled.

## EXAMINER'S AMENDMENT

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Christopher M. Cavan at (312) 913-2131 on 03/14/2006.

The application has been amended as follow:

**Claims 2, 7, 16, 21, 26 and 34** are cancelled.

**Claim 1.** (Currently Amended) A portable phone comprising:

a housing having a top portion and a bottom portion;  
a keypad positioned on the bottom portion of the housing;  
a display screen positioned in a first position generally above the keypad on the top portion of the housing;

and a navigational key positioned on the housing between the display screen and the keypad; wherein the display screen is rotatable from the first position to a second position where the display screen is positioned generally to the side of the keypad and navigational key; and the keypad is axially extendable from the navigational key from

the bottom portion of the housing to provide a greater distance between the keypad and the navigational key; wherein

the display screen rotates at least 90 degrees from the first position to the second position, and wherein

the display screen pivots in relation to the housing so that when the display screen and the navigation key switch places, the display screen is rotated generally 180 degrees to allow the display screen to be generally centered between the navigational key and the keypad.

**Claims 9.** (Currently Amended) A portable phone comprising:

a housing having a top portion and a bottom portion;

a keypad positioned on the bottom portion of the housing;

a display screen positioned in a first position generally above the keypad on the top portion of the housing;

and a navigational key positioned on the housing between the display screen and the key pad; wherein the display screen and navigational key are both rotatable 180 degrees around a pivot from a first position, where the navigational key is located between the display screen and the keypad to a second position wherein the display screen is located between the navigational key and the keypad, wherein

the display screen and navigational key pivot around a pivot point on the housing so that when the display screen and navigational key are in the second position, the display screen is generally centered between the navigational key and the keypad.

**Claims 20.** (Currently Amended) A portable phone comprising:

a housing having a top portion and a bottom portion;

a navigational key positioned on the bottom portion of the housing;

a display screen positioned in a first position generally above the navigational key on the top portion of the housing;

and a keypad positioned on the housing between the display screen and the navigational key; wherein the display screen is rotatable from the first position to a second position where the display screen is positioned generally to the side of the keypad and navigational key, and wherein the navigational key is axially extendable from the keypad when the display screen is in the second position, wherein

the display screen rotates at least 90 degrees from the first position to the second position, and wherein

the display screen pivots in relation to the housing so that when the display screen and the keypad switch places, the display screen is rotated generally 180 degrees to allow the display screen to be generally centered between the navigational key and the keypad.

**Claim 27.** (Currently Amended) A portable phone comprising:

a housing having a top portion and a bottom portion;

a navigational key positioned on the bottom portion of the housing;

a display screen positioned in a first position generally above the navigational keys on the top portion of the housing;

and a keypad positioned on the housing between the display screen and the navigational key, wherein the display screen and keypad are both rotatable 180 degrees around a pivot from a first position, where the keypad is located between the display screen and the navigational key, to a second position where the display screen is located between the navigational key and the keypad, wherein

the display screen and keypad pivot around a pivot point on the housing so that when the display screen and keypad are in the second position, the display screen is generally centered between the navigational key and the keypad.

#### ***Allowable Subject Matter***

**Claims 1, 4-6, 8-9, 11-15, 17-20, 23-25, 27, 29-33 and 35** are allowed.

The following is an examiner's statement of reasons for allowance:

The prior art record, consider **claim 1**. SanGiovanni (Patent No. 6,850,784) teaches a portable phone comprising:

a housing having a top portion and a bottom portion (Fig.1, Illustrate No.102 as top portion and No.104 as bottom portion);

a keypad positioned on the bottom portion of the housing;

a display screen positioned in a first position generally above the keypad on the top portion of the housing (Fig.1, Illustrate keypad as No.110 on the bottom portion and display No.108 above keypad),

and a navigational key positioned on the housing between the display screen and the keypad (Fig.1, Illustrate input device No.116 which read on navigational key).

However, in combination or in SanGiovanni reference are **fail(s) to teach or fairly suggest** wherein the display screen is rotatable from the first position to a second position where the display screen is positioned generally to the side of the keypad and navigational key; and the keypad is axially extendable from the navigational key from the bottom portion of the housing to provide a greater distance between the keypad and the navigational key; wherein

the display screen rotates at least 90 degrees from the first position to the second position, and wherein

the display screen pivots in relation to the housing so that when the display screen and the navigation key switch places, the display screen is rotated generally 180 degrees to allow the display screen to be generally centered between the navigational key and the keypad as substantially connect and specific detail including all of the limitations as particularly recited in claims 9, 20 and 27.

**Claims 4-6, 8, 11-15, 17-19, 23-25, 29-33 and 35** are allowed as being dependent on the independent claims 1, 9, 20 and 27.

### ***Conclusion***

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably

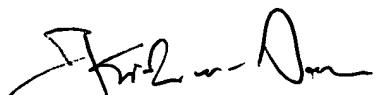
accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Kiet Doan whose telephone number is 571-272-7863. The examiner can normally be reached on 8am - 5pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, George Eng can be reached on 571-272-7495. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

  
George Eng  
GEORGE ENG  
SUPERVISORY PATENT EXAMINER

  
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